



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, DC

Served: March 31, 2000

NOTICE

U.S.-Ghana Combination Service Code-Share Opportunities
Docket OST-2000-7149

On March 16, 2000, delegations representing the United States and Ghana signed a Memorandum of Consultations that sets forth the text of an *ad referendum* Air Transport Agreement. They stated their intent to recommend that their respective governments sign the Agreement as soon as possible. The delegations also stated the intent of their respective aviation authorities to permit operations consistent with the terms of the Agreement on the basis of comity and reciprocity, pending signature of the Agreement.

The *ad referendum* Agreement includes a transitional period for implementation of scheduled combination services.¹ Effective immediately through March 31, 2001, U.S. carriers may serve Ghana on up to 17 weekly frequencies. These services may be operated under code-share arrangements with carriers of Ghana or third-country airlines. Where a U.S. carrier's code is carried on a Ghanaian airline's aircraft, that service shall not count against the frequency limitations. Effective April 1, 2001, through March 31, 2006, U.S. carrier services can be expanded on a phased-in basis.² Currently, Northwest Airlines serves Ghana under a code-share arrangement with KLM on three weekly flights. It is our intention that these carriers be able to continue those services. Therefore, a total of 14 weekly frequencies will be available for additional U.S. carrier code-share services.

By this notice we request that all U.S. air carriers interested in using the code-share opportunities available now file applications for those services with the Department no later than April 14, 2000. Answers to such applications should be filed by April 21, 2000. Replies to answers should be filed by April 26, 2000. We intend to solicit applications from carriers interested in using opportunities available in future years at a later date.

Carriers without requisite operating authority should file exemption/frequency allocation applications and requests for statements of authorization to serve the affected markets in conjunction with their code-share partners. Carriers with the requisite underlying authority and statements of authorization need only file requests for allocation of frequencies. Except for the procedural dates, exemption applications should conform to Part 302, Subpart C of our regulations (14 CFR Part 302). All applications should include, at a minimum, the following information: (a) the proposed startup date; (b) the markets to be served, including the full routing

¹ The *ad referendum* Agreement also includes transitional arrangements for ground handling at Accra and passenger charter operations. Scheduled and charter cargo operations are fully liberalized immediately. This notice deals only with the scheduled combination service transitional opportunities.

² See Annex IV, Section 1, Paragraph D.

of the proposed flights; (c) frequencies per market, and duration of service in each market, if not to be provided on a year-round basis; (d) type of aircraft to be used; (e) the code-share partner involved; (f) the country and specific intermediate point over which the services will be provided, if the service will be operated with a third-country code-share partner, and the identity of the carrier that will be operating the service on each leg of the U.S.-Ghana flights; and (g) existing authority held to conduct the operations, if applicable. In addition, carriers must provide as a part of their applications, copies of the relevant cooperative service arrangements, if not already on file with the Department. Applicants are free to submit any additional information that they believe will help us in making our decision.

All applications (for operating authority, allocation of frequencies and/or statements of authorization) should be filed with the Department of Transportation, Dockets, Room PL-401, 400 Seventh Street, SW, Washington, DC 20590 in Docket OST-2000-7149.³

We intend to allocate the available frequencies based on the applications and responsive pleadings filed in response to this notice. Should comparative selection procedures be necessary, we intend to make our decision using written, show-cause procedures in accordance with Part 302 of our regulations (14 CFR Part 302).

We will serve this notice on all U.S. certificated air carriers, the Air Transport Association, and the National Air Carrier Association.

By:

PAUL L GRETCH
Director
Office of International Aviation

(SEAL)

Dated: March 28, 2000

*An electronic version of this document is available on the World Wide Web at
http://dms.dot.gov/reports/reports_aviation.asp*

³ The original submission is to be unbound and without tabs on 8 ½" x 11" white paper using dark ink (not green) to facilitate use of the Department's docket imaging system. In the alternative, filers are encouraged to use the electronic submission capability available through the docket/DMS Internet site (<http://dms.dot.gov>) by following the instructions at web site.